



STATE OF WASHINGTON  
WASHINGTON STATE BOARD OF HEALTH  
1102 SE Quince Street • PO Box 47990  
Olympia, Washington 98504-7990

January 12, 2005

**TO:** Washington State Board of Health Members  
**FROM:** Craig McLaughlin, Executive Director  
**RE:** **PREVIEW OF 2005 LEGISLATIVE SESSION**

**Background and Summary**

The purpose of this agenda item is to provide an update to the Board about the 2005 legislative session, a 105-day session that began January 10. It is intended to provide some context for the next two agenda items:

1. Proposed revisions to Policy 2001-001, which governs Board communications with the Legislature; and
2. Proposed adoption under that policy of a Board Statement on Possible Legislative Issues for the 2005 session.

The Board received a preliminary review of the 2005 legislative session during its December meeting. The briefing memo prepared for that meeting has held up fairly well, although it was, and remains, highly speculative. A copy of that memo is attached. The purpose of this memo is to highlight information that is new or has changed significantly since that memo was written. The discussion section of this memo will talk briefly about:

- Highlights of Governor Gary Locke's proposed budget;
- Budget requests from the Office of Superintendent of Public Instruction concerning school meals, school nurses and other issues of interest to the Board;
- The possibilities of legislation on asthma in schools and pool lifeguards; and
- Committee hearings at which the Board has been asked to present.

In addition, I have attached a copy of draft legislation that would require the Board to develop rules on lead and other contaminants in school drinking water.

For today's discussion, Board Member Mary Selecky has agreed to brief the Board on the health policy aspects of the Governor's budget. I also have asked Chris Townley, acting director of the Department of Health (DOH) Office of Policy, Legislation and Consistent Relations to join me for this presentation.

**Recommended Board Action**

None.

## **Discussion**

**Governor Locke's budget:** Governor Gary Locke released his budget on December 16. Under this budget, the Board would receive maintenance level funding (current level plus increases for cost-of-living salary increase, benefits, etc.).

DOH would fair well, considering the budget shortfall. It would receive \$1.115 million for work on Hood Canal water quality. This money is related to the Board's work on on-site septic systems on marine shorelines. It would allow DOH to provide technical assistance to local health jurisdictions in marine counties to help them implement the rule the Board will consider in March. DOH would also become the state agency that distributes \$49 million in state general fund dollars to local health jurisdictions. The funds, sometimes referred to as "the MVET backfill," are currently administered by the Department of Community, Trade and Economic Development. DOH would not receive requested authority to raise the fee that goes to specialty clinics to provide follow-up to children diagnosed under the newborn screening program.

There are several items related to access to care. Medical premiums for children in families that earn between 205 and 200 percent of poverty are delayed until June 2007. State grants to community clinics have been reduced, adults eligible for Medicaid will no longer be eligible for Basic Health, and workers with disabilities will no longer be eligible to buy into Medicaid.

**OSPI budget requests:** At the December meeting, Board members indicated an interest in knowing more about budget requests made by OSPI that would impact student health. Those requests include \$13 million to restore the level of service of the School Nurse Corps (due to wage increases for nurses, current level funding has meant a reduction in hours), and \$1.9 million to increase reimbursements to schools for school breakfasts. An OSPI document describing requested budget enhancements related to health and safety is attached.

**Additional issues:** There are issues that the Legislature may take up that were not addressed in the December memo.

- The American Lung Association of Washington is proposing comprehensive **asthma** legislation that would do many things, including requiring air quality standards for new residential construction, mandating certain coverage for state-purchased health care, and requiring a statewide uniform asthma policy for school district. Also, when the federal government awards asthma-related grants, it gives preference to states with law that requires schools to allow students to self-administer medications to treat asthma and life-threatening allergies (e.g., allow students to carry inhalers with them). Washington has no such law currently, which puts the state at a disadvantage in competing for federal funding. Some form of asthma legislation is expected to be introduced.
- Some health and fitness clubs feel **lifeguarding** requirements in the Board's recently adopted water recreation rule are overly burdensome. They are specifically concerned about requirements that a trained attendant or lifeguard be present in small, shallow pools present a financial hardship. DOH and Board staff members are actively exploring a variety of options with industry representatives, but there is some possibility that Washington Health and Fitness Club Association may seek legislative relief.

**Hearings scheduled:** The Board has already been invited to participate in or assist in organizing hearings in the early weeks of session.

- On January 11, the Board was scheduled to do a 45-minute presentation to the House Health Care Committee on its authorities, duties, organization and current activities.
- The Senate Health and Long-Term Care Committee has asked for a similar but shorter presentation (10 minutes) on January 13.
- The House Health Care Committee has asked the Board to participate in a panel on immunization policy. There are questions about why immunization rates in the state are relatively low and whether the law concerning exemptions should be strengthened. This will take place on January 20. Chair Locke will attend.
- Board staff had been assisting Legislative staff with a meeting of the Joint Select Committee on Health Disparities. The meeting, tentatively scheduled for January, will focus on workforce diversity. ConneX, a program former Board member Vickie Ybarra is involved with, will be among those featured.